

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 9168

Naomi SEKINO, et al.

Date: July 27, 2008

Serial No.: 10/729,074

Group Art Unit: 3737

Filed: December 4, 2003

Examiner: Sanjag CATTUNGAL

For: ENDOSCOPIC LITHOTRIPSY APPARATUS AND LITHOTRIPSY METHOD
OF TREATMENT OBJECT USING THE APPARATUS

VIA EFS-WEB

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT
REMARKS/ARGUMENT

This Response is filed in reply to the Restriction Requirement mailed June 27, 2008. Applicant elects the invention directed to the embodiment of Figure 4, which also encompasses Figures 3 and 5. The claims readable on this embodiment and elected herein are claims 1-12 and 34-35. The Examiner's indication that claims 1 and 13 have been found to be generic is noted. Upon allowance of a generic claim, withdrawal of the election requirement will be appropriate.

Applicant reserves the right to file divisional applications directed to the subject matter covered in the non-elected claims. Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM


MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700